

REMARKS

Reconsideration of this application based on the foregoing Amendment and the following Remarks is respectfully requested.

This is the first Office Action following the applicant's request for continued examination (RCE) filed on July 22, 2003.

Allowable Subject Matter: Claims 5-6, 8-9, 13-16, 20-23, 34-58, 64-65, 72, 76-79 and 81-139

Claims 5-6, 8-9, 13-16, 20-23, 34-58, 64-65, 72, 76-79 and 81-139 are allowed.

In addition, claims 69 and 142 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

In response with respect to claim 142, the applicants have cancelled base claim 140 and have rewritten claim 142 into independent form including all of the limitations of the intervening claim 140. No new matter has been added to claim 142. Consequently, the applicants respectfully request the Examiner to withdraw the objection to claim 142.

The applicants have not abandoned the subject matter of claim 140 and reserve the right to re-instate or to file a continuation application directed thereto.

35 U.S.C. 112, Second Paragraph Rejection: Claim 143

The Examiner has rejected claim 143 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

In response, the applicants have cancelled claim 143 without prejudice, thereby rendering the rejection moot. The applicants have not abandoned the subject matter of claim 143 and reserve the right to re-instate or file a continuation application directed thereto.

35 U.S.C. 102 Rejections: Claims 67 and 143

The Examiner has rejected claims 67 and 143 under 35 U.S.C. 102(b) allegedly as being anticipated by TOKUNAGA (US 5,375,043 - filed July 6, 1993 - issued December 20, 1994).

The basis for the rejection is similar to the rejection of claims 1, 10, 24, 25, 33, 42, 66 and 71 in the first Office Action of October 28, 2002, in which the same reference TOKUNAGA was cited.

With respect to claim 67, the Examiner asserts that TOKUNAGA FIGs. 1 and 4 discloses LEDs 2a-2d (electroluminescent device) formed on an end surface (side edge 1c) of the optical conductor (light guiding plate 1), a light-permeable expander (optical fibers 5), the electro-luminescent device (LEDs 2) being formed on the light-permeable expander (optical fibers 5). The Examiner asserts that given the prior art disclosing the claimed lighting device, the method of fabricating the lighting device is inherent.

In the Response to Arguments, the Examiner addresses the applicants' arguments that TOKUNAGA et al do not disclose, teach or suggest a light-permeable expander, only optical fibers 5 which transmit the light without expansion. The Examiner asserts that this argument is contradictory to the specification, page 8, lines 1-2.

The applicants' call to the Examiner's attention that the specification beginning on page 7, line 28, to page 8, line 2, discloses the following:

“The lighting device may further include a light-permeable expansion formed on the end surface of the optical conductor, the electroluminescence device being formed on the expansion such that a dispersion angle of a light emitted from the electroluminescence device is reduced.”

The Examiner also cites page 31, lines 22-24, which discloses that the transparent expansion 28 introduces lights emitted from the electroluminescence device into the optical conductor 38 without loss. The Examiner asserts that it is apparent that the optical fibers 5 of TOKUNAGA et al produce the intended function of the claimed light-permeable expander.

In response to the Examiner, the applicants maintain that the specification on page 31, lines 8-21, clearly indicates with respect to FIG. 23B that light entering the transparent expander 28 must enter at an angle. In particular, lines 18-21 disclose that:

“Since lights advancing in a direction almost perpendicular to the end surface 39 reach the upper and lower surfaces 10

and 11 at a relatively low angle, the lights are all reflected at the upper and lower surfaces 10 and 11, and advance in the optical conductor 38 as effective lights 26.”

Therefore, the intended purpose of the light-permeable expander recited by claim 67 is to expand the angle of the light. In contrast, TOKUNAGA does not disclose, teach or suggest that the optical fibers 5 are designed to expand the angle of the light. Rather, it is inherent in optical fibers that the transmission of light within the optical fiber is intended to occur *without expansion*.

Consequently, the present invention of claims 67 and 69 patentably distinguishes over TOKUNAGA. As a result, the applicants respectfully request that the Examiner withdraw the rejection of claim 67 and the objection to claim 69 as depending upon a rejected base claim.

With respect to claim 143, the applicants call to the Examiner’s attention that claim 143 has been cancelled, thereby rendering the rejection moot.

35 U.S.C. 103(a) Rejections: Claims 68 and 70

The Examiner has rejected claims 68 and 70 under 35 U.S.C. 103(a) allegedly as being unpatentable over TOKUNAGA in view of REDMOND et al (US 5,664,862 - filed August 9, 1996 - issued September 9, 1997) and PARKER et al (US 5,618,096 - filed November 20, 1995 - issued April 8, 1997).

In response, the applicants maintain that the respective prior art references of REDMOND et al and PARKER et al do not overcome the deficiencies of TOKUNAGA with respect to claim 67. Consequently, claims 68

and 70 patentably distinguish over the prior art. As a result, the applicants respectfully request the Examiner to withdraw the rejections of claims 68 and 70.

35 U.S.C. 103(a) Rejections: Claim 144

The Examiner has rejected claim 144 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA in view of SCHONIGER et al (US 4,903,172 - issued February 20, 1990).

In response, the applicants maintain that neither of the respective references of SCHONIGER et al nor TIAO et al overcomes the deficiencies of TOKUNAGA et al with respect to claim 67. Consequently, in that claim 144 depends from claim 67, claim 144 patentably distinguishes over the prior art. As a result, the applicants respectfully request the Examiner to withdraw the rejection of claim 144.

35 U.S.C. 103(a) Rejections: Claim 145

The Examiner has rejected claim 145 under 35 U.S.C. 103(a) as being unpatentable over TOKUNAGA in view of TIAO et al (US 6,254,246 B1 - filed October 1, 1999 - issued July 3, 2001).

In response, the applicants maintain that neither of the respective references of SCHONIGER et al nor TIAO et al overcomes the deficiencies of TOKUNAGA et al with respect to claim 67.

Therefore, claims 144 and 145 patentably distinguish over the respective combination of prior art references. As a result, the applicant respectfully requests that the Examiner withdraw the rejections of claims 144 and 145.

35 U.S.C. 103(a) Rejections: Claim 140

The Examiner has rejected claim 140 under 35 U.S.C. 103(a) allegedly as being unpatentable over SHIRASAKI et al (US 6,025,894 - filed September 2, 1997 - issued February 15, 2000

In response, the applicants call to the Examiner's attention that claim 140 been cancelled, thereby rendering the rejection moot.

35 U.S.C. 103(a) Rejections: Claim 141

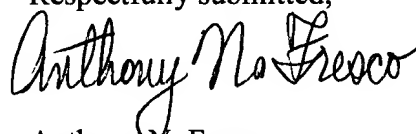
The Examiner has rejected claim 141 under 35 U.S.C. 103(a) allegedly as being unpatentable over SHIRASAKI et al in view of TAI et al (US 5,608,837).

In response, the applicants call to the Examiners' attention that the dependency of claim 141 has been changed from claim 140 to now allowable claim 142 which has been rewritten into independent form. Consequently, claim 141 patentably distinguishes over SHIRASAKI et al in view of TAI et al. As a result, the applicants respectfully request the Examiner to withdraw the rejection of claim 141.

Reconsideration of this application based on the foregoing Amendment and Remarks is respectfully requested.

The foregoing Amendment and Remarks establish the patentable nature of all of the claims rejected or objected to remaining in the application, i.e., claims 67-70, 141-142 and 144-145. Claims 5-6, 8-9, 13-16, 20-23, 34-58, 64-65, 72, 76-79 and 81-139 are allowed. No new matter has been added. Wherefore, early and favorable reconsideration and issuance of a Notice of Allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink that reads "Anthony N. Fresco". The signature is written in a cursive, flowing style.

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